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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ADRIAN MOON,

Petitioner,

v.

WILLIAM MUNIZ, Warden,

Respondent.

Case No. [17-cv-06047-YGR](#) (PR)

ORDER OF TRANSFER

Petitioner has filed a *pro se* petition for a writ of habeas corpus. He has filed a motion for leave to proceed *in forma pauperis* and various pending motions.

Federal statute allows “the Supreme Court, any justice thereof, the district courts and any circuit judge” to grant writs of habeas corpus “within their respective jurisdictions.” 28 U.S.C. § 2241(a). A federal petition for a writ of habeas corpus made by a person in custody under the judgment and sentence of a state court is properly filed in either the district of confinement or the district of conviction. *Id.* § 2241(d). Where a case is filed in the wrong venue, the district court has the discretion to transfer it to the proper federal court “in the interest of justice.” *See* 28 U.S.C. § 1406(a).

Here, Petitioner challenges a conviction and sentence incurred in the Los Angeles County Superior Court, which is within the venue of the Western Division of the Central District of California. *See* 28 U.S.C. § 84. Therefore, the Western Division of the United States District Court for the Central District of California has jurisdiction over this matter.

Pursuant to 28 U.S.C. § 1406(a) and Habeas L.R. 2254-3(b), and in the interest of justice, this action is TRANSFERRED to the Western Division of the United States District Court for the Central District of California. Therefore, the Clerk shall transfer the case forthwith.

1 All remaining pending motions are TERMINATED on this Court's docket as no longer
2 pending in this district.

3 IT IS SO ORDERED.

4 Dated: February 23, 2018



5 YVONNE GONZALEZ ROGERS
6 United States District Judge

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